

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

AMY CORDOVA,

Plaintiff,

1:13-mc-00066-A

v.

ORDER

4 STAR RESOLUTION, LLC,

Defendant.

The U.S. District Court for the District of Colorado awarded Plaintiff a default judgment against the defendant for \$1,500 in actual damages for alleged violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* See Dkt. No. 1. Plaintiff registered her default judgment with this Court on December 10, 2013. *Id.*

To enforce the judgment under Federal Rule of Civil Procedure 69(a)(2), on December 30, 2013, Plaintiff served the defendant with various discovery requests. See Dkt. No. 5-1. The defendant did not timely respond to Plaintiff's requests. See Dkt. No. 5-2. Accordingly, on March 19, 2014, as required by Rule 37(a)(1), Plaintiff attempted to informally resolve the discovery dispute by sending the defendant a letter requesting production. *Id.* The defendant did not respond to Plaintiff's letter. On April 16, 2014, Plaintiff filed a motion requesting

that this Court compel the defendant to comply with Plaintiff's discovery requests. See Dkt. No. 5.

On April 17, 2014, this Court ordered the defendant to respond to Plaintiff's motion to compel by May 1, 2014. See Dkt. No. 6. As of May 16, 2014, defendant has not complied with this Court's order.

Accordingly, upon the defendant's default, the Court hereby grants Plaintiff's motion as to her request that the Court compel production. The Court will hold Plaintiff's motion for attorneys' fees, costs, and expenses in abeyance.

It is ORDERED that Plaintiff shall personally serve a copy of this order upon defendant and shall file proof of service with the Court.

It is FURTHER ORDERED that the defendant, 4 STAR RESOLUTION, LLC, shall respond to Plaintiff's discovery requests within thirty days of Plaintiff's personal service of this order.

SO ORDERED.

s/ Richard J. Arcara
HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: May 16, 2014